IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA 1928

CRP.No. 871 of 2006()

OP. (ELECTRICITY).31/2001 of DISTRICT COURT, ALAPPUZHA

.....

REVN. PETITIONER: RESPONDENT IN O.P.

THE KERALA STATE ELECTRICITY BOARD,
REP.BY ITS SECRETARY, VYDYUTHI BHAVANAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

RESPONDENTS: PETITIONER IN O.P.

FRANCIS, S/O.LONAN,
CHAKKALAKAL HOUSE, AROOR P.O.,
ALAPPUZHA DISTRICT.

BY ADV. SRI.SABU GEORGE

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.NO.3144/06 IN CRP 871/06

DISMISSED

3/1/2007

SD/-M.SASIDHARAN NAMBIAR,JUDGE.

//True copy//

PA to Judge.

M.SASIDHARAN NAMBIAR,J.

C.M.APPLICATION NO.904/06
and
C.R.P .NO.871 OF 2006

Dated 3rd January 2007

O R D E R

Revision is filed with C.M.Application No.904/06 to condone the delay of 839 days. Case of the petitioner Electricity Board was that certified copy of the order challenging the revision was received on 31/3/2005 and it was forwarded to the Board for the opinion and because of administrative delay revision could not be filed in time. There is no valid or sufficient explanation for the inordinate delay of 839 days in filing the revision. As per the order challenged in revision District Judge granted an enhanced compensation of Rs.24,702/-. It was after fixing the land value of Rs.15,000/- per cent on the basis of evidence. Compensation was granted after taking percentage of diminution only at 40%. It cannot be said to be excessive. In such circumstances, I find

no merit in the revision or sufficient reason to condone delay. In such circumstances, revision petition and delay petition are dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.